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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA, Plaintiff, v. LINDA LIVOLSI, aka Linda Grogg, Defendant.)	2:10-cr-0578-PMP-RJJ
)	STIPULATION TO CONTINUE
)	TRIAL DATE
)	(Sixth Request)
)	

IT IS HEREBY STIPULATED AND AGREED, by and between Patrick McDonald, Esq. counsel for defendant Linda Livolsi, and Michael Chu, Assistant United States Attorney, counsel for the United States of America, that the calendar call presently scheduled for July 18, 2012, at 9:00 am; and (2) the trial currently scheduled for July 24, 2012, at 9:00 am be continued to a time and date convenient to this Court. This stipulation is entered into for the following reasons:

1. The defendant has requested additional time, and has cited her medical condition and the treatments she receives as reasons to continue this trial.
2. Defendant needs additional time to prepare for trial in the case including conducting legal research.
3. The parties agree to the continuance.
4. This is the sixth request for a continuance of the trial date.
5. Defendant is not in custody and does not object to a continuance of the trial date.
6. Denial of this request for a continuance could result in a miscarriage of justice.

1 7. The additional time requested by this stipulation is excludable in computing the time
2 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§
3 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and
4 3161(h)(7)(B)(iv).

5 DATED July 26, 2012.

DANIEL BOGDEN
United States Attorney

2 || /s/

/s/

PATRICK McDONALD, Esq.
Counsel for defendant Linda Livolsi

MICHAEL CHU
Assistant United States Attorney
Counsel for the United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FINDINGS OF FACT

12 Based on the pending stipulation of counsel, and good cause appearing therefore, the Court
13 hereby finds that:

14 1. The defendant has requested additional time, and has cited her medical condition and
15 the treatments she receives as reasons to continue this trial.

16 2. Defendant needs additional time to prepare for trial in the case including conducting
17 legal research.

18 || 3. The parties agree to the continuance.

19 || 4. This is the sixth request for a continuance of the trial date.

5 Defendant is not in custody and does not object to a continuance of the trial date.

6 Denial of this request for a continuance could result in a miscarriage of justice.

1 7. The additional time requested by this stipulation is excludable in computing the time
2 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§
3 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and
4 3161(h)(7)(B)(iv).

CONCLUSIONS OF LAW

6 1. For all of the above-stated reasons, the ends of justice would best be served by a
7 continuance of the trial date.

8 2. The additional time requested by this stipulation is excludable in computing the time
9 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C.
10 §§3161(h)(7)(A), when considering the factors under 18 U.S.C. §§3161(h)(7)(B)(i) and
11 3161(h)(7)(B)(iv).

ORDER

13 **IT IS THEREFORE ORDERED** that the calendar call presently scheduled for July 23,
14 2012, at 9:00 am setting is vacated and reset to Wednesday, February 6, 2013,
15 at 9:00 a.m. in Courtroom 7C.

16 **IT IS FURTHER ORDERED** that the trial currently scheduled for July 24, 2012, at 9:00
17 a.m. is vacated, and reset to Tuesday, February 12, 2013, at 9:00 a.m. in Courtroom 7C.

19 DATED this 1st day of August, 2012.

Philip M. Orr

UNITED STATES DISTRICT JUDGE